

February 9, 2018

Mr. Eric Hadaway
Daft McCune Walker, Inc.
501 Fairmount Avenue, Suite 300
Towson, MD 21286

Re: 11956 Philadelphia Road
Forest Buffer Variance
Tracking #06-17-2608

Dear Mr. Hadaway:

The Department of Environmental Protection and Sustainability (EPS) has completed review of the above referenced request for a variance to the Baltimore County Code, Article 3 Environmental Protection and Resource Management, Title 3 Protection of Water Quality, Streams, Wetlands and Floodplains. If granted, the request would allow a reduction of 1.7 acres of the Forest Buffer from an average of 250 feet to 100 feet with the establishment of good vegetative cover within 100 feet of the wetland complex on the north side of the site. The basis for the expanded buffer is poor vegetative cover. The establishment of good vegetative cover would reduce the buffer width to 100 feet.

This Department has reviewed your request, and has determined that a practical difficulty exists given that the reason the forest buffer is expanded is the current poor vegetative cover. We further acknowledge that the establishment of good vegetative cover adjacent to the northern wetland complex prior to any site grading would reduce the potential for impacts to water quality. Therefore, in accordance with Article 33-3-106 of the Baltimore County Code, we will grant the request with the following conditions:

1. The following note must appear on all plans and plats submitted for this project:
“A variance was granted by the Baltimore County Department of Environmental Protection and Sustainability from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains on February 9, 2018. This variance approved the reduction of the northern forest buffer to 100 feet from the wetland complex. Conditions were placed on the approval to reduce water quality impacts including installation of signs and monuments as well as seeding of a diverse mix of grasses and herbaceous plants prior to site grading.”

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2. The Forest Buffer Easement shall be delineated as shown on the plan dated 2/8/2018 and recorded in the Land Records of Baltimore County along with its Declaration of Protective Covenants.
3. All portions of the full Forest Buffer area with poor vegetative cover shall be seeded and mulched with straw. A standard pasture mix may be utilized in areas beyond 100 feet from any wetland or stream. The 100-foot area adjacent to these resources shall be seeded with a diverse mix of native and naturalized grasses and wildflowers approved by EPS staff. K-31 shall not be used in either area. Good vegetative cover (i.e. at least 75% cover) must exist throughout the entire Forest Buffer Easement area prior to EPS approval of any grading permit application.
4. The outer Forest Buffer Easement limit shall be permanently posted at 75-foot intervals or at any turn with protective signage and at-grade monuments along the entire length to facilitate identification of easement limits. The signs and monuments also must be installed prior to issuance of any building permits.

It is the intent of this Department to grant this variance subject to the above conditions. Any changes to site layout may require submittal of revised plans and an amended variance request.

Please have the owner sign the statement on the next page and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of this project.

If you have any questions regarding this correspondence, please call Ms. Regina Esslinger at (410) 887-3980.

Sincerely yours,

David V. Lykens
Deputy Director

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I agree to the above conditions to bring our property into compliance with Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Owner Signature

Date

Printed Name

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